

FILED

07 NOV 21 PM 4: 15

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

'07 CV 2233 DMS (NLS)

Donnie Knauls,

Plaintiff,

vs.

WMC MORTGAGE,

ASC/AMERICA'S SERVICING COMPANY

MORTGAGE LENDERS NETWORK USA INC ,

COUNTRYWIDE HOME LOANS,

Defendant (S)

Case No:

Complaint to Action of Quiet
Title

Title 5 USC section
1635(a) Title 12 CFR 226.23 (D) (I)

"Here comes the, Donnie Knauls, bringing this complaint/ Action
to Quiet Title/ Failure to Give Full Disclosure of Regulation Z
Truth and Lending Act and Predatory Lending. - Violation of HJR-
192, Failure to give consideration. Lis Penden. This
controversy is over Three Hundred Thousand Dollars and it also
involves real property(S); located at 1320 HARBIN ROAD SW, Atlanta,
GA 30311, Loan #2020042841, LN# 1115013129 AND LN# 1115013130.

545 W. 115TH ST Los Angeles, CA 90044 Loan #0101928836

1 2360 CYPRESS AVENUE, LEMON GROVE, CA 91945-Loan #0021862040 and
2 LN# 11776325 Invasion of Regulation Z of the Truth in Lending ACT,
3 Title 5 USC(a) Title 12 CFR 226.23 (D) (I).

4 **Failure to Give Full Disclosure Of**
5 **Regulation Z Truth and Lending Act Title 5**
6 **USC section 1635(a) Title 12 CFR 226.23(D) (I)**

7 **Jurisdiction of the Court**

8 The jurisdiction of this subject matter involves real
9 property, Predatory Lending, constructive fraud, misinformation,
10 failure to give full disclosure of contract, and other
11 violations of Regulation Z of the Truth and Lending Act. In
12 further notice of jurisdiction and judicial notice the, Donnie
13 Knauls, reserves all rights, waiver of none ever. A claim of
14 relief can only be granted under the Bankruptcy Reform Act and a
15 certificate of rescission due to violations of the Truth in
16 Lending Act. Jurisdiction pursuant to the Federal Tort Claim
17 Act, which grants jurisdiction over subject matter of criminal
18 elements, and the United States District Court has original
19 jurisdiction pursuant to 28 U.S.C., Cal 251, scope and extent of
20 jurisdiction of Federal Court and thus grounds, which governs
21 jurisdiction and remedies under Title 42, 1983 and 1984 is
22 operational under the color of State Law and offices. The
23 original jurisdiction was granted to the United States District
24 Court Common Law Jurisdiction by Article III, section 2;
25 judicial power of the United States shall be vested in the
26 Supreme Court by the Constitution for the united States of
27 America. The Amendments without qualification petition relief
28 upon the Constitution.

Parties of Interest

Plaintiff is, Donnie Knauls.

Defendant(s) are:

ASC/AMERICA'S SERVICING COMPANY POBox 10328 Des Moines, IA 50306
MORTGAGE LENDERS NETWORK USA INC, 213 Court St. Middletown CT 06457
SHUFING, MORSE & ROSS, LLP 6259 Riverdale RD Riverdale, GA 30274
LITTON LOAN SERVICING, 4828 Loop Central Drive, Houston, TX 77081
WMC MORTGAGE, 600 ANTON Blvd. Ste. 1900 Costa Mesa, CA 92626
COUNTRYWIDE HOME LOANS, 450 American ST. Simi Valley, CA 93065
AMC MORTGAGE SERVICES, PO BOX 11000, Santa Ana, CA 92711
FIRST RATE FUNDING-6910-A Miramar Rd STE. 100 San Diego, CA 92121

Fact

In and around the years 2006 and 2007 agreement were made between the, defendants listed above, and the Purchaser, Donnie Knauls. The Purchaser, Donnie Knauls **in good faith signed the loan agreements but has since learned of the many Predatory facets of the above listed loans by defendants (lack of consideration, unjust profit, behind doors intra-trading etc) which is to be brought forth in a jury trial in this United States District Court, unless DEFENDANTS right the wrong by giving a Reconveyance of said property forthwith.** Wherefore the defendant and all parties of interest have **Failed to give full disclosure of contract according to the Truth and Lending Act and Regulation Z** and have currently been served. Donnie Knauls is awaiting the notice of full Reconveyance of the Deed of Trust

1 of said property by the President or Vice President of
2 ASC/AMERICA'S SERVICING COMPANY
3 MORTGAGE LENDERS NETWORK USA INC , SHUFING,MORSE & ROSS, LITTON
4 LOAN SERVICING, WMC MORTGAGE, COUNTRYWIDE HOME LOANS, AMC
5 MORTGAGE SERVICES, FIRST RATE FUNDING

6 The affirmative fact, due to the Predatory Practices and
7 Dishonor mentioned in the above and pursuant to our settlement
8 agreement and stipulations below, that any dishonor/ arguments
9 the purchaser/grantor can regain his/her rights and the original
10 Deed of Trust is rescinded in good faith herein and is invoking
11 herein the 3-year right of rescission clause due to the
12 following reasons:

13 The ultimate fact due to the Predatory, unethical and outrageous
14 business practices of the Defendant, DEFENDANTS and it's
15 Cohorts, Donnie Knauls, in his own stead, gives notice of
16 rescission of the Deed of Trust under the statutes of fraud and
17 also due to breach of agreement/dishonor of the administrative
18 process, in which Donnie Knauls requests defendant/ DEFENDANTS
19 to answer point for point under their full commercial liability
20 and under penalty of perjury and signed before a Notary an
21 answer of all the enclosed within 10 days of receipt of

22 ASC/AMERICA'S SERVICING COMPANY
23 MORTGAGE LENDERS NETWORK USA INC , SHUFING,MORSE & ROSS, LITTON
24 LOAN SERVICING, WMC MORTGAGE, COUNTRYWIDE HOME LOANS, AMC
25 MORTGAGE SERVICES, FIRST RATE FUNDING

26 A) this Quiet title And Notice of Lis Penden for their County
27 Recorder or be subject to a full reconveyance of property
28

1 to the Donnie Knauls forthwith, and to fulfill the below
2 stipulations as well, due to their guilt in this matter:

3 The ultimate fact is that the DEFENDANTS are using all types of
4 Slander of the Petitioner, Donnie Knauls, and handle this instant
5 matter in a professional way and settling the instant matter with the
6 petitioner..

7 I, Donnie Knauls, give notice of the affirmative fact that there was
8 a commercial dishonor, for which I exercised my rights by using the
9 guidelines of the United Nations Convention therefore not only was
10 there invasion of the named Convention, but there was also an invasion
11 of Regulation Z of the Truth in Lending Act.. and **of discharge**
12 **according to UCC 3-603 ie: If tender of payment of an obligation to**
13 **pay an instrument is made to a person entitled to enforce the**
14 **instrument, the effect of tender is governed by the principles of law**
15 **applicable to tender of payment under a simple contract.** Otherwise
16 this means that there is no way for me to legally tender my debts, and
17 no-one can use House Joint Resolution-192 to discharge any debts or
18 obligations, public or private. Due to this outrageous and unethical
19 behavior and business practice of these named DEFENDANTS, the public
20 at large is in jeopardy. I, Donnie Knauls, bring forth this
21 information to the U.S. District Court for a possible Grand Jury
22 Review and possible indictments.

23
24
25
26 Domestic Mixed War- a mixed war is one which is made on one side
27 of public authority and the other by mere private person, (Black's Law
28 Dictionary 5th Ed. Page 1420). War does not exist merely because of an

1 armed attack by Military forces of another nation until it is a
2 condition recognized or accepted by political authority of Government,
3 which is attacked either through an actual declaration of war or other
4 acts demonstrating such, criminally under Title 18, Section 4, civilly
5 under Title 42, Section 1983, 1985, 1986, position emphasis added:
6 (Suaser V. Sun Life Assure Co. Of Canada, D.C. 57 F Supp. 620, 621)
7

8 Mixed war is the disintegration of peace: Webster's states: "A
9 State of hostility, conflict, or antagonism, a struggle between
10 opposing forces," not necessarily open, violent, armed confrontations,
11 although a continued state of disrupted peace by any forced lead to
12 open armed conflict.

13 The named Respondents The President/ Vice President of
14 DEFENDANTSLLC & Wachovia Dealer Services did act in their private
15 capacity and are hereby accused of the following crimes against
16 humanity, and violation of the rights of the people of this California
17 Republic/ International Communities/ Universal Declaration of Human
18 Rights or obligation are secured, preserved or defined by the
19 Constitution, art.1 sec. 10.
20

21 Fraud-

22 Permitting shown and demonstrated acts of fraud and actively
23 participating in a scheming conspiracy of untruths and
24 misrepresentation to deceive those who entrusted themselves in dealing
25 in good faith, while specifically acting in deliberate bad faith
26 wherein such fraud was shown (Cal. Penal Code sec. 532 18 USC 1001).
27
28

1 Conspiracy-

2 A confederation of two or more individuals who may not know each
3 other but by their joint effort, commit some unlawful or criminal act.
4 (Black's Law Dictionary). Multiple officials, agents, and other
5 persons named properly noticed by the attached commercial affidavit
6 continue to raise revenue by fraud and extortion, theft of rights of
7 Donnie Knauls and the general public at large. (California
8 Racketeering Act 18 USC 1961 et. Seq.)
9

10
11 Treason-

12 Treason is defined as the assault against the authority to which
13 one owes allegiance. It is one of three specific crimes named in the
14 united States Constitution. It requires that one commit an act of war
15 against the Constitution or giving aid and comfort to an enemy, such
16 clearly, action by government officer and such private officer who
17 have privileged authority in Commerce by the Constitution, in specific
18 connection to the above violations. Malfeasance of office along with
19 violating their oath of office and in the related connected activities
20 here in as listed below is nothing short of Treason.
21

22 In addition to and along with the above cited crimes, the
23 accuser's acting in concert with each other complete such acts as
24 listed as follows:
25

26 Racketeering;

27 Is the combination of the above identified crimes. Title 18
28 United States Codes Section 1961 (RICO) defines it as involving a host

1 of patterned criminal actions that includes but is not limited to an
2 act or threat of murder, kid napping, gambling, arson, and as in the
3 instant case, robbery, bribery, extortion, Fraud, slavery,
4 misrepresentation, etc..

5 The explanation of crimes above stem from other hidden crimes
6 being forced upon the general public at large/ the People of this
7 California Republic and Georgia Republic and the International
8 Communities. Such Crimes and this Affidavit of Information, is
9 registered in the overall context of the Bankruptcy of the United
10 States the, District of Columbia) as per Jurisdiction set forth In the
11 U.S. Constitution Article 1, section 8, clause 17, and 18 and Article
12 4, Section 3, clause 2) the United States Bankruptcy is a direct
13 result of the Federal Reserve act of Dec. 22, 1913, in which the
14 delegated authority of Congress to be Responsible for the Nation's
15 currency was unconstitutional and was clearly reiterated on march 17,
16 1993 on the floor of the House of Representatives by James Traficant,
17 Jr. (Ohio) addressing the House, it is recorded in the United States
18 Congressional Record, Wednesday, March 17, 1993, vol. 33 page HI303:
19 "Mr. Speaker, we are here now in chapter 11, member of congress are
20 official trustees presiding over the greatest reorganization of any
21 bankrupt entity in world history. The U.S. Government," he further
22 mentioned, "the U.S. attorney general the "permanent member" to the
23 Secretariat of the Interpol operation and the Secretary of the
24 Treasury , the "alternate permanent member" under article 30 of the
25 constitution , and regulation of Interpol 22 USC 263 (a), the agents
26 are required to renounce their allegiance to their respective
27
28

1 countries and expatriate consequently, all "public servant" official,
2 Congressmen, politician, Judges, attorney, law enforcement personnel,
3 the states and their various agencies are express agents of the
4 foreign principal. Private Municipal Corporation in behalf of the
5 United States

6 This RICO enterprise should be subject to 28 USC sec 4 of the
7 commission of crimes cognizable by a court of the United States.
8 Title 18 USC sec 513 mentions: "Whoever makes, utters, or possesses a
9 counterfeited security of a State or political subdivision thereof or
10 of an organization, or whoever makes, utters, or possesses a forged
11 security of a state or political subdivision thereof, or organization
12 with intent to deceive another person, organization, or government
13 shall be fined not more than \$250,000 or imprisoned not more than ten
14 (10) years or both." Among securities defined at 18 USC sec 2311 is
15 included: "evidence" of indebtedness, which in a broad sense may mean
16 anything that is due and owing, which would include a duty,
17 obligation, or right of action.
18
19
20

21 **Waiver of Contractual Right**

22 I, Donnie Knauls, shall not be deemed to have waived any right
23 under this agreement unless such waiver is given in writing and signed
24 by the Petitioner. The failure of either party to enforce one or more
25 provisions of this agreement shall not be construed as a waiver or
26 limitation of that Party's right agreement. No delay or omission on
27 the part of the Petitioner in exercising a right shall operate as
28

1 waiver of such right or any other right. A waiver by the Petitioner
 2 of a provision of this agreement shall not prejudice or constitute a
 3 waiver of the Secured Party's right otherwise to demand strict
 4 compliance with that provision or any other provision of this
 5 agreement. No prior waiver by Donnie Knauls nor any course of dealing
 6 between Donnie Knauls, and the Debtor, The President/ Vice President
 7 of the defendant company's, shall constitute a waiver of the Secured
 8 Party's rights or of Debtor obligations under this agreement as to
 9 future transactions, whenever the consent is required under this
 10 agreement, the granting of such consent by the Petitioner in one
 11 instance shall not constitute consent over the whole.
 12

13 UCC 3-103 fraud, misrepresentation, duress, Estoppels,
 14 Bankruptcy, principal and agent law of contract.

15 UCC 3-103. Duty to act in good faith requires honesty not
 16 dishonesty/ reasonable Commercial Standard of fair Dealing.

17 UCC 403. Filing Public Record or upon Acceptance by Filing
 18 offer.

19 UCC 1-201 (11) offer/ consideration/ Acceptance

20 UCC 1-105 Territorial, Application of the act, practice, Power to
 21 choose, Application Law, choose law, conflict of Law.
 22

23
 24 **Payment of Three Million Dollars, U.S.D. \$3,000,000.00**

25 **per each Defendant**

26	27	28
<u>Nature of Crime</u>	Damage Penalty	Authority of Damage
Fraud	\$10,000.00	18 USC 1001

1 2 counts theft of exemption \$5,000.00 18 USC 872
 2 from count 3 (felony) (18USC 2112) \$250,000.00 18USC 3571, 3623
 3 Conspiracy \$10,000.00 18USC, 241
 4 Racketeering (Criminal) \$25,000.00 18USC, 1963
 5 Grand theft Larceny \$250,000.00 per day 18 USC 872
 6 Racketeering (Civil Value) Whatever the actual damages are, that can
 7 be proven, multiplied by 3, triple the damages.
 8 \$10,000.00 x 3 = \$ 18 USC, 1964
 9

10
11 100 Constitutional Violations

12 (Human Rights violation) \$9,250,000.00

13 partial table total

14 Racketeering civil penalties upon default - subtotal amount to
15 Be finalized.

16
 17
 18 The affirmative fact, that I, Donnie Knauls, further have
 19 reason to believe that the general public and the public at
 20 large are in jeopardy due to these **Predatory and Unethical**
 21 **business practices of Defendants and its Cohorts** and the
 22 President and Vice President of **ASC/AMERICA'S SERVICING COMPANY**
 23 **MORTGAGE LENDERS NETWORK USA INC , SHUFING,MORSE & ROSS, LITTON**
 24 **LOAN SERVICING, WMC MORTGAGE, COUNTRYWIDE HOME LOANS, AMC**
 25 **MORTGAGE SERVICES, FIRST RATE FUNDING** willful refusal to give
 26 **full disclosure pursuant to Regulation Z of the Truth in Lending**
 27 **Act that there is no real and Lawful Money and I am expecting**
 28 **Relief under said act.** This is the reason I, Donnie Knauls

1 honor the defendant's mutual administrative settlement agreement
2 herein and stipulations to have filed, a Quiet title Lis Penden,
3 under the rules of the common law, to test the Validity and let
4 the Jury make the Determination whether there is a Breach of
5 Contract between the Purchaser/Grantor and the Seller/Grantee.
6 The Quiet title is also to test whether there was a breach of
7 agreement or a breach of duty of DEFENDANTS to give full
8 Reconveyance of the property. And to Further Test the Validity
9 of whether the President/ Vice President of DEFENDANTS has the
10 right to enforce an acceleration clause that is on the deed of
11 trust, when the right of the 3 year rescission was dishonored by
12 DEFENDANTS, and when there is evidence that the defendant/
13 DEFENDANTS ever gave full disclosure nor acknowledged discharge
14 due to lawful tender and also among other things to be submitted
15 to the jury at trial, nor loaned anything of substance to Donnie
16 Knauls and, does DEFENDANTS deserve to lose their license to do
17 business as has so many other predatory lenders?

18 The DEFENDANTS failed to respond within the 10 days as
19 requested or cancel the transaction and return the property
20 back. DEFENDANTS willfully failed to give full disclosure,
21 according to Regulation Z and the Truth and Lending Act, of
22 check book credit/ credit debit, a.k.a. letter of credit (bill
23 of credit) and they are requested herein also yet declined to
24 have an independent, certified accountant to review the lawful
25 money that was originally loaned to see if there was clean hands
26 in the above matter and consideration given.

1 The, Donnie Knauls further affirms and is informed that the
2 president/ vice president of DEFENDANTS continue to this day to
3 refuse to give satisfaction.
4

5 **Statement of Cause**

6 The Donnie Knauls is further informed that the affirmative
7 fact is that the President/ Vice President of, DEFENDANTS and
8 cohorts, **also failed to disclose that the original loan was**
9 **created by a check book entry, which may be sold in the open**
10 **market as a promissory note with no consideration to the**
11 **plaintiff.** The defendant further failed to disclose the
12 plaintiff would be converted into just a joint tenant for 30
13 years.
14

15 The, Donnie Knauls, in his own stead, rescinds the loan
16 contract due to constructive fraud and usury, and also due to
17 Predatory and Unethical business practices, and furthermore
18 demands a jury trial for relief.
19

20 **Judicial Notice of How a Claim of Relief Can be Granted**

21
22 A) The , Donnie Knauls gives **Judicial Notice to the United**
23 **States District Court that relief can only be granted A)**
24 **Regulation Z of the Truth in Lending Act Title 5 USC Section**
25 **1635 (A) and the Title 12 CFR 226.23 (d) (I), 9th Circuit ruling**
26 **in Yamamoto v. Bank of New York, 329 F3d 1167. per Regulation Z**
27 **Action for rescission and Replevin is further Authorized Per**
28 **House Joint Resolution-192/ the Emergency Bankruptcy of 1933.**

1
2 **C) Under the Settlement agreement and the stipulations between**
3 **the parties, Donnie Knauls and the President/ Vice President of**
4 **ASC/AMERICA'S SERVICING COMPANY**
5 **MORTGAGE LENDERS NETWORK USA INC , SHUFING,MORSE & ROSS, LITTON**
6 **LOAN SERVICING, WMC MORTGAGE, COUNTRYWIDE HOME LOANS, AMC**
7 **MORTGAGE SERVICES, FIRST RATE FUNDING.**
8

9 Judicial Notice, the plaintiff Donnie Knauls, anticipates
10 dishonor of the President/ Vice President of DEFENDANTS and its
11 attorneys, to continue to dishonor via harassment of and by
12 threatening of non-judicial foreclosure in state court, by an
13 appointed trustee, even after notice of rescission according to
14 this issuance of my contractual 3 year right of rescission which
15 was also refused.
16

17 **Conclusion**

18 Donnie Knauls, further anticipates that the President/ Vice
19 President of DEFENDANTS will take no notice of administrative
20 settlement agreement between the parties, in an attempt to cover
21 up their predatory dealings and I hereby request an order for
22 Reconveyance without Prejudice due to defendants failure to
23 honor all the above and adjust the account.
24

25 **Prayer**

26 1) Request to the Court that the President/ Vice President of
27 DEFENDANTS honor the terms and conditions of the settlement
28 agreement between the parties to **Stay of all predatory and**

1 liability under the penalty of perjury and sign a jurat or
2 record a full Reconveyance on the Deed of Trust in their County
3 Recorder and do whatever the District Court of the United States
4 deems to be proper and just.

5
6
7 **Verification**

8 I, Donnie Knauls, attest and affirm that the above information
9 mentioned in this affidavit of truth / Quiet Title is true and correct
10 of the affirmative fact that there was a commercial dishonor, for
11 which I exercised my rights by using the guidelines of the United
12 Nations Convention, therefore not only was there invasion of the named
13 Convention, but there was also an invasion of Regulation Z of the
14 Truth in Lending Act.. and of the Uniform Commercial Code. This means
15 that there is no way for me to legally tender my debts, and No-one can
16 use House Joint Resolution-192 to discharge any debts or obligations,
17 public or private. Due to this outrageous and unethical and unlawful
18 behavior and business practice of these named DEFENDANTS, the public
19 at large is in jeopardy is to the best of my knowledge and belief.
20
21

22 Dated: 11-21-07

Henceforth Submitted, "Without Prejudice"

23 Donnie Knauls
24

25 Donnie Knauls, UCC 3-402
26
27
28

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Donnie Knauls,

Plaintiff,

vs.

WMC MORTGAGE,

ASC/AMERICA'S SERVICING COMPANY

MORTGAGE LENDERS NETWORK USA INC ,

COUNTRYWIDE HOME LOANS,

Defendant (S)

07 CV 2233 DMS (NLS)

NO. _____

DECLARATION OF SERVICE

Person served:

U.S. District Court

Date served:

11-21-07

I, The undersigned declare that I am over the age of eighteen years and not a party to this action; that I served the above named person the following documents:

Complaint to Action of Quiet
Title

Title 5 USC section
1635(a) Title 12 CFR 226.23 (D) (I)

In the following manner: (check one below)

- 1) ☒ By personally delivering copies to the person served.
- 2) ☐ By leaving, during usual office hours, copies in the office of the person served with the who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 3) ☐ By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of his/her office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left.
- 4) ☒ By placing a copy in a separate envelope, with postage fully prepaid, for each address ~~named below~~ and depositing each in the U.S. Mails at San Diego, Ca on _____
US District
880 Front St San Diego, CA 92101

Executed on 11-21-07 2007 at San Diego, California

Donnie Knauls

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Donnie Kneels
Cypress Ave, Lemon Grove, CA 91945

(b) County of Residence of First Listed Plaintiff San Diego

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Same

DEFENDANTS

Wmc Mortgage
600 Anton Blvd. Ste 1900 Costa Mesa, CA
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

County of Residence of First Listed Defendant Los Angeles

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

07 CV 2233 DMS (NLS)

II. BASIS OF JURISDICTION

(Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☐ 3 Federal Question (U.S. Government Not a Party)☐ 2 U.S. Government Defendant☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State ☒ 1 ☐ 1 Incorporated or Principal Place of Business In This State ☐ 4 ☒ 4

Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business In Another State ☐ 5 ☐ 5

Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input checked="" type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input checked="" type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN

(Place an "X" in One Box Only)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Title 5 USC Section 1635 (A) 1

Brief description of cause:

Resolution 2

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

11-21-07 Donnie Kneels

FOR OFFICE USE ONLY

RECEIPT #

144763

AMOUNT

\$370

APPLYING IFP

to 11/21/07

JUDGE

MAG. JUDGE

**UNITED STATES
DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

144763 - KD

**November 21, 2007
16:26:15**

Civ Fil Non-Pris

USAO #: 07CV2233

Judge.: DANA M SABRAW

Amount.: \$350.00 CA

Total-> \$350.00

FROM: CIVIL FILING
KNAULS, ET AL V. WMC MORT., ET
07CV2233